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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

**UNOPPOSED ADMINISTRATIVE
MOTION TO SHORTEN TIME
PURSUANT TO CIVIL LOCAL RULE
6-3 FOR THE HEARING OF
PLAINTIFFS' UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Hon. Claudia Wilken

1 Pursuant to Local Rule 6-3, plaintiffs respectfully move the Court to advance the hearing
2 from September 5, 2024, to August 12, 13, 14 or August 19, 20, 21, or 22, 2024 of plaintiffs'
3 Unopposed Motion for Preliminary Approval of Class Action Settlement ("Motion") (ECF No.
4 450). The parties have met and conferred and defendants do not oppose this request.

5 Addressing the Motion at an earlier date will assist the parties in the time-consuming
6 process of identifying contact information for potential class members. The proposed notice
7 program currently contemplates direct notice to approximately 250,000 class members. Under the
8 proposed form of notice, each of these potentially affected class members would receive notice by
9 email or mail. Counsel, therefore, must obtain accurate contact information, including email and
10 mailing addresses, for each class member to provide adequate notice of the proposed settlement.

11 Based on plaintiffs experience in the *In re National Collegiate Athletic Association Athletic*
12 *Grant-in-Aid Cap Antitrust Litigation* settlement where similar information was sought, this
13 process requires coordination with hundreds of member schools. Defendants and plaintiffs have
14 begun this process already by contacting the schools and preparing instructions and templates to
15 facilitate efficient production of class members contact information. The process for obtaining class
16 member contact information, however, is triggered from the date the Court grants preliminary
17 approval.

18 Defendants have also conferred with member institutions who are waiting to notify class
19 members under the Family Educational Rights and Privacy Act ("FERPA") statute until after the
20 Court grants preliminary approval and prior to providing any contact information. This could result
21 in a delay of many weeks before plaintiffs would receive any data and would likely delay the start
22 of the proposed notice program.

23 Accordingly, to facilitate the timely and efficient gathering of the necessary data, plaintiffs
24 ask the Court to set or specially set the hearing at the earliest date convenient to the Court.

Dated: July 30, 2024

By /s/ Steve W. Berman
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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ Steve W. Berman
STEVE W. BERMAN